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February 7, 2008

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Hon. Richard J. Holwell
United States District Court
Southern District of New York
500 Pearl Street
New York, New York

Attn: Mitchell Oates, Esq.

USDC SDNY
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Re: New York State Restaurant Ass'n v. New York City Bd. of Health,
Index # 08 Civ. 1000 (RJH)

Dear Judge Holwell:

This office represents defendants in the above-captioned matter. I write to respectfully request that defendants be permitted to file a memorandum of law no larger than 30 pages in opposition to plaintiffs' motion for declaratory and injunctive relief, which was supported by a 44 page memorandum of law. During a February 1st conference (before this case was transferred to Your Honor), Hon. Colleen McMahon indicated that defendants could file an opposition brief that exceeded her 25 page limit. The plaintiff has consented to this request.

So ORDERED

Mark W. Muschenheim
USDJ

2/13/08

Respectfully submitted,

Mark W. Muschenheim (MM 0498)
Assistant Corporation Counsel

cc: Kent A. Yalowitz, Esq.
(By Fax (212) 715-1399)